IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.888 OF 2005

Dr.Ramesh Venkatesh & anr. .. .. Petitioners
v/s.
State of Mah. & ors. .. .. Respondents

Mr.V.M.Thorat for petitioners.

Mr.A.A. Kumbhakoni with Mr.Mohan Naik, AGP for res.Nos.1 & 2.

Ms.Simran Puri for res.No.3.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATE : 12TH APRIL 2005

P.C. :

1. Heard the learned Counsel for the parties.

2. This petition raises the problem of the two petitioners as well as the students who are situated similar. The problem raised is that in the last year, there were no admissions effected for the Post Graduate medical seats. That being the position, this year doubled the number of students are clamouring for the number of seats which are fixed by the State Government in consultation with Medical Council of India. The prayer in the petition is to direct the

respondents to make additional seats available on the basis of 2 degree seats per teacher per unit and for that purpose appropriate writ may be issued. A reply has been filed by one Shri Vitthal Dhondiba Gaikwad, Administrative Officer in the office of the Directorate Medical Education & Research, Mumbai. In paragraph 4 thereof, he has stated that one such unit consists of thirty beds with corresponding infrastructure and each unit is entitled to have three seats for post graduation. It is stated in Para-5 of the said affidavit that the respondents have calculated and made available maximum number of admissions in this behalf. The respondents have also volunteered that if the petitioners are able to point out any such possibility of increasing the seats, the respondents will not oppose to it.

3. Mr.Kumbhakoni and Ms.Puri appearing for the respondents have stated that unless there is any such feasibility, no such increase can be permitted.

4. We quite see the predicaments of the petitioners. At the same time, the medical education itself has to be backed with appropriate

infrastructure. Teachers' ratio has to be as per what is laid down by the Medical Council of India. This being the position, all that we can say is that the petitioners can bring to the notice of the concerned Authorities of the State Government as to where such an increase is possible and if the State Government is persuaded, the State may take up with the Medical Council of India for increase of seats. There is nothing further to add. Petition is disposed of.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)